

THE INDUSTRIAL TRIBUNALS AND FAIR EMPLOYMENT TRIBUNAL

CASE REF: 13789/19

CLAIMANT: Margaret Harrison

RESPONDENT: Catherine Williamson t/a Friends Day Nursery

JUDGMENT OF A PRELIMINARY HEARING (JURISDICTION)

The judgment of the tribunal is that the claimant's claim of age discrimination was not presented in time and the claimant has failed to satisfy the tribunal that it was just and equitable to extend time. The tribunal therefore does not have jurisdiction to hear the claimant's claim and it is dismissed.

CONSTITUTION OF TRIBUNAL

Employment Judge (sitting alone): Employment Judge Orr

APPEARANCES:

The claimant appeared and was self-representing.

The respondent was represented by Mr G Cumiskey of Peninsula Business Services.

1. At the end of the Preliminary Hearing the tribunal gave an oral judgment with full reasons dismissing the claimant's claim of age discrimination under the Employment Equality (Age) Regulations (Northern Ireland) 2006 as it had not been presented within the statutory time limit and the claimant had failed to satisfy the tribunal that it was just and equitable to extend time.
2. Regulation 8 of the above mentioned regulations provides that an Industrial Tribunal shall not consider a complaint under Regulation 41 unless it is presented to the tribunal before the of the period of three months beginning when the Act complained of was done. A Court or Tribunal may nevertheless consider any such complaint or claim which is out of time if, in all the circumstances of the case, it considers that it is just and equitable to do so.

3. Accordingly the tribunal does not have jurisdiction to consider and determine the claimant's claim of age discrimination.

Employment Judge:

Date and place of hearing: 27 October 2020, Belfast.

This judgment was entered in the register and issued to the parties on: